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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Marcy C., pseudonymously,
Plaintiff,
v.

MGM RESORTS INTERNATIONAL, THE
MIRAGE CASINO-HOTEL, LLC, NEW CASTLE,
LLC, TREASURE ISLAND LV, LLC, PHILLIP E.
RUFFIN, CAESAR'S ENTERTAINMENT, INC.,
DESERT PALACE, LLC, PARBALL NEWCO,
LLC, PHW LAS VEGAS, LLC, PHW MANAGER,
LLC, LAS VEGAS SANDS CORP., WYNN LAS
VEGAS, LLC, EXTENDED STAY AMERICA,
INC., ESA P PORTFOLIO LLC, ESA P
PORTFOLIO OPERATING LESSEE LLC, RED
LION HOTELS CORPORATION, SONESTA
INTERNATIONAL HOTELS CORPORATION,
WHC816, LLC, RL SALT LAKE, LLC, CHOICE
HOTELS INTERNATIONAL, INC., SALT LAKE
LODGING, CRRC PROPERTIES, LLC, LA
QUINTA FRANCHISING, LLC, CPLG
PROPERTIES, LLC

Defendants.

Case No. 2:24-cv-02027-JCM-MDC

**AMENDED STIPULATION AND
ORDER REGARDING STAY AND
BRIEFING SCHEDULE FOR
RESPONSES TO THE COMPLAINT**

(SECOND REQUEST)

Plaintiff, Marcy C. (“Plaintiff”), and Defendants, MGM Resorts International, The Mirage Casino-Hotel, LLC, New Castle, LLC, Treasure Island LV, LLC, Las Vegas Sands Corp., La Quinta Franchising, LLC, CPLG Properties, LLC, Choice Hotels International, Inc., Parball Newco, LLC, PHW Las Vegas, LLC, PHW Manager, LLC, Rio Properties, LLC, Red Lion Hotels Corporation, Sonesta International Hotels Corp, WHC816, LLC, RL Salt Lake, LLC, Wynn Las Vegas, LLC, Extended Stay America, Inc., ESA P Portfolio, LLC, ESA P Portfolio Operating Lessee, LLC, Salt Lake Lodging, LLC and CRRC Properties, LLC (“Defendants”), by and through their counsel of record, hereby stipulate and agree as follows:

I.

STIPULATIONS

A. Lifting the Previously Entered Stay

1. On October 3, 2024, Plaintiff filed her Complaint in the District Court for Clark County, Nevada.

2. On October 29, 2024, Defendant Wynn Las Vegas, LLC timely removed this Action to this Court. ECF 1.

3. In her Complaint, Plaintiff asserts a claim against Defendants for alleged human trafficking in violation of 18 U.S.C. § 1595, the Trafficking Victims Protection Reauthorization Act (“TVPRA”), as well as other state law common law and statutory claims.

4. Pursuant to the TVPRA, however, “[a]ny civil action filed under subsection (a) shall be stayed during the pendency of any criminal action arising out of the same occurrence in which the claimant is the victim.” 18 U.S.C. § 1595(b)(1).

5. The TVPRA further states that a “criminal action includes investigation and prosecution and is pending until final adjudication in the trial court.” 18 U.S.C. § 1595(b)(2).

6. Plaintiff’s alleged trafficker identified in her Complaint, Delquan Danford (“Danford”), was subject to criminal prosecution in Utah for aggravated human trafficking.

7. Plaintiff and Defendants previously stipulated that the TVPRA requires that this entire Action be stayed pending final adjudication in the Utah trial court of Danford’s criminal

1 action. *See* Stipulation and Order Regarding Staying Action and Extending Time to Respond to
2 the Complaint (ECF No. 62) (the “Stipulated Stay”).

3 8. Plaintiff and Defendants also agreed in the Stipulated Stay that Defendants’ time to
4 respond to Plaintiff’s Complaint shall be extended to such date that is thirty (30) days after final
5 adjudication of Danford’s criminal action, whether by acquittal, sentencing, or dismissal. This
6 extension was intended to ensure all Defendants are on the same briefing schedule. ECF No. 62,
7 ¶10.

8 9. Sentencing in Danford’s criminal action occurred on April 1, 2025. Plaintiff and
9 Defendants are informed that Danford has also filed an appeal.

10 10. In light of the procedural posture of Danford’s criminal action, the Parties hereby
11 stipulate and agree that the Stipulated Stay (ECF No. 62) should now be lifted.

12 **B. Briefing Schedule on Motions to Dismiss Plaintiff’s Complaint**

13 In furtherance of the Plaintiff and Defendants’ intentions to ensure a consistent briefing
14 scheduling going forward, the Parties hereby agree to the following briefing schedule for any and
15 all responses to Plaintiff’s Complaint:

- 16 a. Defendants will file any responses or motions by **May 9, 2025**;
- 17 b. Plaintiff’s responses to Defendants’ motions or pleadings will be filed by **June 6,**
18 **2025**; and
- 19 c. Defendants’ replies in support of any motions will be filed by **June 20, 2025**.

20 **C. Stay of Discovery Pending Motions to Dismiss**

21 In light of the agreed-upon briefing schedule and, in the interests of judicial economy and
22 to avoid incurring potentially unnecessary attorneys’ fees and costs, the Parties also agree that
23 discovery should now only be stayed pending the Court’s ruling/s on the forthcoming motions to
24 dismiss. Good cause exists for a stay of discovery. First, the motions to dismiss will be pending
25 before this Court, and no fact discovery is needed to resolve these motions seeking the complete
26 dismissal of Plaintiff’s Complaint. *Schrader v. Wynn Las Vegas, LLC*, No. 2:19-cv-02159-JCM-
27 BNW, 2021 WL 4810324, at *2 (D. Nev. Oct. 14, 2021); *Aristocrat Techs., Inc. v. Light & Wonder,*
28 *Inc.*, No. 2:24-cv-00382-GMN-MDC, 2024 WL 2302151, at *2 (D. Nev. May 21, 2024)

1 (pragmatic approach permits stay of discovery “(1) if the dispositive motion can be decided
2 without further discovery; and (2) good cause exists to stay discovery.”); *see also* Fed. R. Civ. P.
3 1 (goal to secure the just, speedy and inexpensive resolution of cases”). Additionally, any
4 discovery in this case would involve the production of records involving a Plaintiff who alleges
5 she is a survivor of human trafficking. Plaintiff believes that maintaining her privacy is crucial at
6 this point, and any stay would obviate the need for a disclosure of her identity until the forthcoming
7 motions to dismiss are decided. Any discovery would necessarily involve highly sensitive
8 documents related to Plaintiff, including her identity.

9 A stay while motions to dismiss that do not need fact discovery are pending is therefore
10 consistent with this Court’s holding in *Schrader v. Wynn Las Vegas, LLC*, No. 2:19-cv-02159,
11 2021 WL 4810324, *2 (D. Nev. Oct. 14, 2021), as it will maximize Plaintiff’s interest in
12 maintaining her privacy, as well as conserve judicial resources and avoid unnecessary costs. *See*
13 *id.* at *5 (granting stay motion because a party “demonstrated harm or prejudice will result if
14 discovery proceeds now” and “good cause exists to continue the stay of discovery”); *see also* Order
15 Granting Stipulation to Stay Discovery, *C.C. v. Rashid et al.*, No. 2:23-cv-02056 (D. Nev. Apr.
16 30, 2024), ECF No. 96 (staying case with similar human trafficking allegations pending the Court’s
17 decision on pending motions to dismiss); Order Granting Stipulation to Stay Discovery, *S.C. v.*
18 *Hilton Franchise Holding LLC et al.*, No. 2:23-cv-02037 (D. Nev. May 6, 2024), ECF No. 52
19 (same).

20 To the extent that the Court’s decisions on the motions to dismiss do not fully dispose of
21 this matter, the Parties agree that a discovery plan and proposed scheduling order shall be due
22 within thirty (30) days of the Court’s decision on the last of the motions to dismiss.

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1 The Parties further discussed and intend to propose a one (1) year discovery period
2 commencing as of the date of the Court's ruling on the motions to dismiss.

3
4 IT IS SO ORDERED.

5
6 Hon. Maximiliano D. Couvillier III
United States Magistrate Judge

7 DATED: 5/12/2025
8

9 DATED this 7th day of May, 2025.

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DATED this 7th day of May, 2025.

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